

August 15, 1994

Mr. Deane H. Zeller, District Manager  
United States Department of the Interior  
Bureau of Land Management  
2370 South 2300 West  
Salt Lake City, UT 84119

re: 3800 U-69380 (UT-022)

Dear Mr. Zeller,

I am in receipt of your letter of 8/8/94 and would like to correct some misconceptions.

1. We were not operating a rock crusher on July 28, 1994. If your people had taken the time to talk to me they would have discovered the following: we were operating a screening plant as a one week experiment to assess the costs and feasibility of recovering waste materials from prior operations. In our many conversations with B.L.M. personnel we indicated that we would be working on a long range plan to recover and recycle waste rock that was a result of 38 years of operation and development prior to our purchase of the property. In Leon Berggren's decision, mining plan of operation dated March 31, 1993, it asks us to remove waste stone from a certain portion of the stream.

In my November 16, 1993 letter appealing your decision addressed that issue. Again in my letter of appeal dated April 15, 1993 to Leon Berggren and yourself I brought up our willingness to clean up waste on a voluntary basis.

I do not believe we are legally obligated to clean up 38 years of prior operational material, within your time frame, particularly when it poses absolutely no visual or environmental problem. Last year I stated that our operations would not involve any new quarrying until our plan of operation is resolved and that we would be conducting salvage operations only and that no new areas would be disturbed.

That has been exactly what has taken place. We rented the screening plant from Zeigler Engineering in Salt Lake City and ran one week utilizing waste material from the bank above the area of the stream discussed for restoration. In the course of doing this it gives us adequate working room to complete proper restoration in this small area. I believe we have complied and gone well beyond the requirements of the proposed mining plan of operation.

We have protested your assessment of the area disturbed and do not believe it is accurate. In your decision, remanded letter of October 21, 1993, you determined 3.5 acres disturbed and noted that this did not include access roads. I have been trying to explain that all access roads were built 30 years ago.

In paragraph 3, item 10 of the above letter states "you have the option to reclaim some of the disturbed areas in order to reduce the amount of unreclaimed acreage." in numerous letters and conversations to and with B.L.M. personnel I have emphasized our intent and willingness to extend ourselves way beyond what anyone else has done with a building stone quarry in the western U.S..

This was a model operation before we purchased it and we have committed a tremendous amount of time and money over the past 3 years to make it simply spectacular. Of course improvement never stops, but the results are there now for anyone with eyes to plainly see.



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We have our customers from around the world visit from time to time and without exception they go away very, very impressed. Many of these people operate and deal with quarries much older and larger than ours.

Just last week Gary Weller, of Rolling Rock Quarries, Boyertown, Pennsylvania; a 55 year old company who is a leader in the eastern U.S. visited our quarries in Park Valley and Oakley. He commented over and over again about neatness and organization of our operations. It is this kind of recognition that gives us the incentive to try and do even better.

Mr. Zeller, I am simply baffled about why we can't come to a common meeting ground with the B.L.M. and have them recognize our efforts and have a good on the site communicative program to work toward the desired end result that will not put us out of business.

It appears that through your letter of August 8, you give us no alternative to filing an appeal through or attorneys within the 30 days prescribed period if we intend to protect our rights.

Along with <sup>this</sup> letter, I want to summarize some issues that have been bothering me for three years now and to my knowledge there have been little or no action. I have written numerous letters to the B.L.M. and the state of Utah, Dept. of Natural Resources about these issues and see no response or action.

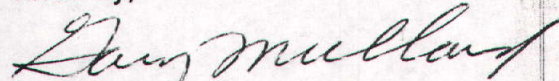
- A. Severe damage to riparian and other areas in Rock and Fischer Canyons caused by overgrazing and absolutely no attempt at restoration.
- B. The recent placing of unauthorized roads above and through our Park Valley Mining Claims with a bull dozer hired by the Park Valley Hereford Association. This clearly constitutes a "Willful Trespass" and justice needs to be served for this act of aggression.
- C. Unauthorized fencing, tree cutting and generally leaving a mess on our mining claim property in Rock Canyon.
- D. Unauthorized dumping of waste stone products hauled in from southern Utah on mining claim property in Fischer Canyon. Also this same site has harbored a variety of other junk and dead equipment and trash. I personally took Dan Washington on a tour of this area last year.
- E. There are at least 9 other building stone quarry operations near Park Valley, run by four different companies and they remain disaster areas. The operators are making a mess out of the land, do no restoration, hire illegal workers, do not carry work mans compensation insurance, allow their workers to drive on the highway without a license and on and on.

I have written a number of letters about this over the years, sent specific names and identified areas. I realize you are not the agency to enforce everything, but in my opinion, if you enforced your regulations and inspected as you are doing with Northern Stone Supply, these operations would shape up or soon go out of business.

We want to comply with fair and legal regulations, set an example for others in our business and be responsible citizens, but we will not be forced into impossible situations or improperly interpreted rulings. Along with this, I am going to continue to press for strong and timely action against the real violators of the law.

If there is anything you wish to discuss or if we can meet between ourselves and our attorneys to move these issues off of dead center and save everyone involved lots of money we are available.

Sincerely,



Gary Mullard  
President  
da